

U. S. DEPARTMENT OF AGRICULTURE,
BUREAU OF PLANT INDUSTRY.

WM. A. TAYLOR, CHIEF OF BUREAU.

SERVICE AND REGULATORY ANNOUNCEMENTS.

APRIL, 1914.

**JOINT REGULATIONS OF THE SECRETARY OF THE TREASURY AND
SECRETARY OF AGRICULTURE UNDER THE SEED IMPORTATION ACT,
APPROVED AUGUST 24, 1912.¹**

REGULATION 1.—SHORT TITLE OF THE ACT.

The act "To regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes," approved August 24, 1912, shall be known and referred to as "The seed importation act of August 24, 1912."

REGULATION 2.—DEFINITIONS.²

(a) *Clover*.—The term "clover" shall include:

<i>Trifolium hybridum</i>	alsike clover.
<i>Trifolium incarnatum</i>	crimson clover.
<i>Trifolium pratense</i>	red clover.
<i>Trifolium repens</i>	white clover.

(b) *Dodder*.—The term "dodder" shall include all species of *Cuscuta*.

(c) *Millet*.—The term "millet" shall include:

<i>Chaetochloa italica</i> (<i>Setaria italica</i>).....	Hungarian or German millet.
<i>Panicum miliaceum</i>	broom-corn millet.

(d) *Rape*.—The term "rape" shall include the forms of *Brassica napus*, winter rape, commonly grown as forage, but shall not include the forms of *Brassica napus*, summer rape or bird rape, commonly grown for its seed.

(e) *Sorghum*.—The term "sorghum" shall include the saccharine varieties of *Holcus sorghum* (*Sorghum vulgare*).

(f) *Kafir corn*.—The term "Kafir corn" shall include the nonsaccharine, or grain, varieties of *Holcus sorghum* (*Sorghum vulgare*), exclusive of broom corn.

(g) *Weeds*.—The following plants shall be considered weeds:

<i>Abutilon theophrasti</i> (<i>A. avicennae</i>).....	Indian mallow.
<i>Achillea millefolium</i>	yarrow.
<i>Agropyron repens</i>	quack-grass.
<i>Agrostemma githago</i> (<i>Lychnis githago</i>).....	corn cockle.
<i>Allium vineale</i>	garlic, wild onion.
<i>Alsine</i> (<i>Stellaria</i>).....	chickweed.
<i>Amaranthus</i>	amaranth.
<i>Ambrosia</i>	ragweed.

¹ These regulations were promulgated by the United States Treasury Department in the series of Treasury Decisions as No. 34393, April 23, 1914.

² The technical plant names in the lists herein given are those in use by the United States Department of Agriculture. In cases where these names are not those recognized in the Index Kewensis the Kew name follows in parenthesis. The common names are not complete and are given only by way of explanation.

<i>Anagallis arvensis</i>	pimpernel.
<i>Anthemis</i>	Mayweed.
<i>Anthyllis vulneraria</i>	kidney vetch.
<i>Atriplex</i>	saltbush.
<i>Avena fatua</i>	} wild oats.
<i>Avena fatua glabrescens</i> }	
<i>Axyris amaranthoides</i>	_____
<i>Berteroa incana</i> (<i>Alyssum incanum</i>).....	hoary alyssum.
<i>Brassica</i>	mustard.
Except <i>B. napus</i> (winter rape).	
<i>Bromus hordeaceus</i>	} chess.
<i>Bromus racemosus</i>	
<i>Bromus secalinus</i>	
<i>Bromus tectorum</i>	
<i>Bursa bursa-pastoris</i> (<i>Capsella bursa-pastoris</i>).....	shepherd's-purse.
<i>Camelina</i>	false flax.
<i>Campe</i> (<i>Barbarea</i>).....	winter cress.
<i>Carduus</i> (including <i>Onicus</i>).....	thistle.
<i>Carex</i>	sedge.
<i>Centaurea</i>	star thistle, cornflower.
<i>Cerastium</i>	mouse-ear chickweed.
<i>Chaetochloa glauca</i> (<i>Setaria glauca</i>).....	*. yellow foxtail, pigeon grass.
<i>Chaetochloa viridis</i> (<i>Setaria viridis</i>).....	green foxtail.
<i>Chenopodium</i>	lamb's-quarters.
<i>Chrysanthemum leucanthemum</i>	oxeye daisy.
<i>Cichorium intybus</i>	chicory.
<i>Conringia orientalis</i>	hare's-ear mustard.
<i>Convolvulus</i>	bindweed.
<i>Cuscuta</i>	dodder.
<i>Datura</i>	Jimson weed.
<i>Daucus carota</i>	wild carrot.
<i>Echinochloa crus-galli</i> (<i>Panicum crus-galli</i>).....	barnyard grass.
<i>Echium vulgare</i>	blueweed.
<i>Eragrostis</i>	stink-grass.
<i>Erodium cicutarium</i>	alfilaria.
<i>Eruca sativa</i>	rocket (roquette).
<i>Erysimum</i>	treacle mustard.
<i>Festuca myuros</i>	rat's-tail fescue.
<i>Galium</i>	bedstraw.
<i>Geranium</i>	crane's-bill.
<i>Grindelia squarrosa</i>	gumweed.
<i>Helianthus</i>	sunflower.
<i>Hibiscus trionum</i>	bladder ketmia.
<i>Hieracium</i>	hawkweed.
<i>Holcus halepensis</i> (<i>Sorghum halepense</i>).....	Johnson grass.
<i>Hypochaeris radicata</i>	cat's-car.
<i>Ipomoea</i>	morning-glory.
<i>Iva</i>	marsh elder.
<i>Juncus</i>	rush.
<i>Lappula echinata</i> (<i>Echinosperrum lappula</i>).....	stickseed.
<i>Lappula texana</i> (<i>Echinosperrum redowskii</i>).....	stickseed.
<i>Leontodon autumnale</i>	fall dandelion.
<i>Leonurus cardiaca</i>	motherwort.
<i>Lepidium</i>	peppergrass.

<i>Linaria</i>	butter-and-eggs; toadflax.
<i>Lithospermum arvense</i>	corn gromwell.
<i>Lolium temulentum</i>	darnel.
<i>Lotus</i>	bird's-foot trefoil.
<i>Lychnis</i>	campion.
<i>Madia sativa</i>	tarweed.
<i>Matricaria inodora</i>	scentless camomile.
<i>Medicago arabica</i> (<i>M. maculata</i>).....	spotted bur clover.
<i>Medicago hispida denticulata</i> (<i>M. denticulata</i>).....	toothed bur clover.
<i>Medicago lupulina</i>	yellow trefoil.
<i>Melilotus</i>	sweet clover.
<i>Molinia coerulea</i>
<i>Nepeta cataria</i>	catnip.
<i>Neslia paniculata</i>	ball mustard.
<i>Notholcus</i> (<i>Holcus</i>).....	velvet grass.
<i>Oenothera biennis</i>	evening primrose.
<i>Picris</i>	ox-tongue.
<i>Plantago</i>	buckhorn; plantain.
<i>Polygonum</i>	knotweed; bindweed; smart-weed; lady's-thumb.
<i>Portulaca oleracea</i>	purslane.
<i>Potentilla</i>	five-finger.
<i>Prunella vulgaris</i>	heal-all.
<i>Ranunculus</i>	buttercup.
<i>Raphanus raphanistrum</i>	wild radish.
<i>Rosa</i>	wild rose.
<i>Rudbeckia hirta</i>	brown-eyed Susan.
<i>Rumex</i>	dock; sorrel.
<i>Salsola</i>	Russian thistle.
<i>Sanguisorba</i>	burnet.
<i>Sherardia arvensis</i>	field madder.
<i>Silene</i>	catchfly.
<i>Sisymbrium</i>	tumbling mustard.
<i>Solanum</i>	nightshade.
<i>Sonchus</i>	sow thistle.
<i>Spergula</i>	spurry.
<i>Syntherisma</i> (<i>Digitaria</i>).....	crab-grass.
<i>Taraxacum</i>	dandelion.
<i>Thlaspi arvense</i>	Frenchweed.
<i>Tragopogon pratensis</i>	goat's-beard.
<i>Trifolium</i>	wild clover.
Except <i>T. hybridum</i> , <i>T. incarnatum</i> , <i>T. pratense</i> , and <i>T. repens</i> .	
<i>Vaccaria pyramidata</i> (<i>Saponaria vaccaria</i>).....	cow cockle.
<i>Valerianella locusta</i> (<i>V. olitoria</i>).....	corn salad.
<i>Verbena</i>	verbena.
<i>Vicia</i>	vetch.

REGULATION 3.—SAMPLING: UPON SPECIFIC REQUEST OF THE SECRETARY OF AGRICULTURE.

The collector of customs shall draw and forward for examination, when so requested by the Secretary of Agriculture or his representative, samples of all seeds enumerated in the act when offered for import into the United States.

REGULATION 4.—SAMPLING: WITHOUT SPECIFIC REQUEST OF THE SECRETARY OF AGRICULTURE.

The collector of customs shall draw and forward for examination, without specific request from the Secretary of Agriculture, samples of all seeds of alfalfa, Canadian bluegrass, Kentucky bluegrass, awnless brome-grass, clover, meadow fescue, millet, orchard grass, rape, redtop, timothy, or mixtures of seeds containing any of such seeds as one of the principal component parts, from noncontiguous territory, entered on pro forma invoices. Similar action should be taken with respect to seeds of the same kinds from contiguous territory whether or not a consular invoice is presented on the entry thereof.

REGULATION 5.—DRAWING SAMPLES.

When a shipment is made up of several lots differing in quality or price, a sample of each lot shall be submitted as though each lot were a separate shipment. The sample of each lot or shipment submitted to the seed laboratories, in accordance with regulation 6, shall be drawn as follows: When a lot consists of five sacks or less, each sack shall be sampled, and when consisting of more than five sacks, every fifth sack, but not less than five sacks, shall be sampled.

REGULATION 6.—SAMPLES, WHERE SENT.

All samples drawn under the act by customs officers shall be forwarded to the respective seed laboratories under which the ports are grouped in the following list of seed-laboratory districts unless otherwise specifically requested by the Secretary of Agriculture or his representative.

1. *Seed Laboratory, United States Department of Agriculture, Washington, D. C.*—All ports in the States of Maine, Vermont, Rhode Island, New York, New Jersey, New Hampshire, Massachusetts, Connecticut, Pennsylvania, Maryland, Delaware, Virginia, Ohio, West Virginia, North Carolina, South Carolina, and Georgia, and Port Huron and Detroit, Mich.

2. *Seed Laboratory, Purdue University, La Fayette, Ind.*—All ports in the States of Indiana, Illinois, Kentucky, Tennessee, Wisconsin, and Minnesota, and all ports in Michigan except Port Huron and Detroit.

3. *Seed Laboratory, Agricultural Experiment Station, Columbia, Mo.*—All ports in the States of Missouri, Iowa, Arkansas, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Colorado.

4. *Seed Laboratory, Agricultural Experiment Station, Baton Rouge, La.*—All ports in the States of Alabama, Mississippi, Florida, Louisiana, Texas, and New Mexico.

5. *Seed Laboratory, Agricultural College, Corvallis, Oreg.*—All ports in the States of Montana, Wyoming, Idaho, Oregon, and Washington.

6. *Seed Laboratory, Agricultural Experiment Station, Berkeley, Cal.*—All ports in the States of California, Nevada, Arizona, and Utah.

REGULATION 7.—NOTICE TO CONSIGNEE.

The collector of customs shall immediately notify the consignee that samples have been drawn and that the remainder of the shipment must be held intact, pending a decision of the Secretary of Agriculture in the matter.

REGULATION 8.—EXAMINATION OF SEEDS—DELIVERY IN BOND.

Seeds offered for importation into the United States from any foreign country, of which samples are taken for examination by the Secretary of Agriculture, shall be admitted only after the samples have been examined and pronounced to be neither adulterated nor unfit for seedling purposes within the meaning of the seed importation act of August 24, 1912: *Provided, however,* That the collector of customs may deliver to

the consignee shipments which have been sampled on the execution of a bond in a penal sum equal to the invoice value of the seeds, together with the duty thereon, if any, conditioned upon the redelivery thereof to the collector when demanded by him for any reason within 30 days from the date of entry. Form Cat. No. 3393 may be slightly modified and used for this bond, and should be drawn to cover also any recleaning that may become necessary.

REGULATION 9.—RELEASE OR RECLEANING OF SHIPMENT.

If the Secretary of Agriculture shall inform the collector that the seeds are not in violation of the said act, the collector shall no longer detain the shipment under that act, but if the seeds are found to be in violation thereof, the collector shall permit the importer to reclean the seeds under bond at the expense of the importer.

REGULATION 10.—SAMPLES OF RECLEANEED SEEDS.

The collector of customs shall draw and forward to the Secretary of Agriculture or his representative a sample of the recleaned seeds, together with a sample of the screenings or other refuse removed from the seeds in the course of cleaning, accompanied by a statement of the amount of both the recleaned seeds and of the screenings, and the same procedure shall be followed with respect to such sample of the recleaned seeds as upon the original sample.

REGULATION 11.—EXPORTATION OF SHIPMENT.

If the Secretary of Agriculture shall inform the collector that the sample of the recleaned seeds is not satisfactory, or if the importer shall decline to reclean any shipment of seeds which the Secretary of Agriculture has found to be in violation of the said act, the collector shall refuse delivery of the shipment and require it to be exported under customs supervision.

REGULATION 12.—DISPOSITION OF REFUSE FROM RECLEANING.

The collector of customs shall cause the screenings or other refuse removed from the seeds in the course of recleaning to be exported or ground or otherwise treated so as to render the seeds contained therein incapable of germination before the seed will be released to the owner or consignee.

REGULATION 12½.—DISPOSITION OF DETAINED SHIPMENTS TO BE REPORTED.

The collector of customs shall inform the Secretary of Agriculture of the disposition made of every shipment detained under these regulations.

REGULATION 13.—FAILURE TO EXPORT TO BE REPORTED.

Should the importer fail to export within three months from the date of refusal of delivery any seeds the delivery of which has been refused under these regulations, the collector shall report the facts to the Secretary of the Treasury and to the United States attorney.

REGULATION 14.—WILLFUL VIOLATION TO BE REPORTED.

The collector of customs shall report to the Secretary of the Treasury and to the United States attorney any willful violation of the act which shall come to his knowledge.

REGULATION 15.—APPEAL TO THE SECRETARY OF AGRICULTURE.

All applications for relief from decisions as to the quality of seeds arising under these regulations should be addressed to the Secretary of Agriculture.

**REGULATION 16.—FORWARDING OF SAMPLES UNDER TREASURY DECISION 34059 TO
BE CONTINUED.**

Irrespective of the foregoing regulations, collectors of customs will continue to observe the requirement in Treasury Decision 34059 of January 14, 1914, that two-ounce samples of each lot of all grass, clover, and other forage-plant seeds imported into the United States be forwarded to the Seed Laboratory, United States Department of Agriculture, Washington, D. C.

REGULATION 17.—TAKING EFFECT OF REGULATIONS.

These regulations shall supersede all previous regulations under the seed importation act and shall take effect June 1, 1914.

D. F. HOUSTON,
Secretary of Agriculture.

W. G. McADOO,
Secretary of the Treasury.

Dated April 9, 1914.

THE SEED IMPORTATION ACT.

AN ACT To regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes (37 Stat., 506).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after six months after the passage of this act the importation into the United States of seeds of alfalfa, barley, Canadian bluegrass, Kentucky bluegrass, awnless brome-grass, buckwheat, clover, field corn, Kafir corn, meadow fescue, flax, millet, oats, orchard grass, rape, redtop, rye, sorghum, timothy, and wheat, or mixtures of seeds containing any of such seeds as one of the principal component parts, which are adulterated or unfit for seeding purposes under the terms of this act is hereby prohibited; and the Secretary of the Treasury and the Secretary of Agriculture shall, jointly or severally, make such rules and regulations as will prevent the importation of such seeds into the United States: *Provided, however,* That such seed may be delivered to the owner or consignee thereof under bond, to be recleaned in accordance with and subject to such regulations as the Secretary of the Treasury may prescribe, and when cleaned to the standard of purity specified in this act for admission into the United States such seed may be released to the owner or consignee thereof after the screenings and other refuse removed from such seed shall have been disposed of in a manner prescribed by the Secretary of Agriculture: *Provided further,* That this act shall not apply to the importation of barley, buckwheat, field corn, Kafir corn, sorghum, flax, oats, rye, or wheat not intended for seeding purposes, when shipped in bond through the United States or imported for the purpose of manufacture, but such shipment shall be subject to provisions of the act of August fifth, nineteen hundred and nine.

SEC. 2. That seed shall be considered adulterated within the meaning of this act—

First. When seed of red clover contains more than three per centum by weight of seed of yellow trefoil, or any other seed of similar appearance to and of lower market value than seed of red clover.

Second. When seed of alfalfa contains more than three per centum by weight of seed of yellow trefoil, burr clover and sweet clover, singly or combined.

Third. When any kind or variety of the seeds, or any mixture described in section one of this act, contains more than five per centum by weight of seed of another kind or variety of lower market value and of similar appearance: *Provided,* That the mixture of the seed of white and alsike clover, red and alsike clover, or alsike clover and timothy, shall not be deemed an adulteration under this section.

SEC. 3. That seed shall be considered unfit for seeding purposes within the meaning of this act—

First. When any kind or variety of clover or alfalfa seed contains more than one seed of dodder to five grams of clover or alfalfa seed, respectively.

Second. When any kind or variety of the seeds or any mixture described in section one of this act contains more than three per centum by weight of seeds of weeds.

SEC. 4. That any person or persons who shall knowingly violate the provisions of this act, shall be deemed guilty of a misdemeanor and shall pay a fine of not exceeding five hundred dollars and not less than two hundred dollars: *Provided,* That any person or persons who shall knowingly sell for seeding purposes seeds or grain which were imported under the provisions of this act for the purpose of manufacture shall be deemed guilty of a violation of this act.

Approved August 24, 1912.



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